

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

P28604

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EQ/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

CONFIRMATION NUMBER

5607

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/551,780

INTERNATIONAL APPLICATION NO.

PCT/JP2004/004876

INTERNATIONAL FILING DATE

2 April 2004

PRIORITY DATE CLAIMED

04 April 2003

TITLE OF INVENTION

LIPID MEMBRANE STRUCTURE CONTAINING ANTI-MT-MMP MONOCLONAL ANTIBODY

APPLICANT(S) FOR DO/EQ/US

Motoharu SEIKI, Ikuo YANA, Takanori AOKI, Junko YASUDA, Hiroshi KIKUCHI, and Emi ISHIDA

Applicant herewith submits to the United States Designated/Elected Office (DO/EQ/US) the following items and other information.

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below.
4. ☐ The US has been elected (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154 (d) (4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

"Executed"

10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 22 below concern other document(s) or information included:

11. Assignee: DAIICHI PHARMACEUTICAL CO., LTD., of Tokyo Japan
12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
13. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☒ A FIRST preliminary amendment.
 ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ An Application Data Sheet under 37 C.F.R. 1.76.
16. ☐ A substitute specification.
17. ☐ A power of attorney and/or change of address letter.
18. ☐ Figure of Drawing to be published:
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154 (d) (4).
21. ☐ A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4).
22. ☒ Other items or information:
 - Cover Letter.
 - Request for Extension of Time.
 - Copy of Notification of Missing Requirements (PCT/DO/EQ/905).

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/551,780		PCT/JP2004/004876		P28604	
23 <input type="checkbox"/> The following fees are submitted:				CALCULATIONS	PTO USE ONLY
Basic national fee.....				\$ 0.00	
24 <input type="checkbox"/> Examination Fee				\$ 0.00	
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4).....					
All other situations.....					
25 <input type="checkbox"/> Search fee				\$ 0.00	
Search fee (37 CFR 1.445(a) (2)) has been paid on the international application to the USPTO as an International Searching Authority.....					
International Search Report prepared and provided to the Office.....					
All other situations.....					
TOTAL 23, 24 and 25 =				\$ 0.00	
<input type="checkbox"/> Additional Fee for Specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.				\$ 0.00	
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100=	/50 =		x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$ 130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	33 - 20 =	13	x \$50.00	\$ 650.00	
Independent Claims	1 - 3 =	0	x \$200.00	\$ 0.00	
Multiple Dependent Claim(s) (if applicable)				+ \$360.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =				\$ 780.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				\$ 780.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (i)).				\$ 130.00	
Extension of Time fee in the amount of \$120.00				\$ 120.00	
TOTAL NATIONAL FEE =				\$1030.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
TOTAL FEES ENCLOSED =				\$1030.00	
				Amount to be refunded	\$
				Charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$1,030.00 to cover the above fees is included.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees.					
c. <input checked="" type="checkbox"/> The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0089.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO CUSTOMER NO. 07055 AT THE PRESENT ADDRESS OF:					
Bruce H. Bernstein GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clark Place Reston, VA 20191 (703) 716-1191			Arnold Turk Reg No 33094 Bruce H. Bernstein NAME 29.027 REGISTRATION NUMBER		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Motoharu SEIKI et al. **Mail Stop PCT**
Confirmation No. 5607
Appl. No. : 10/551,780 (National Stage of PCT/JP2004/04876)
I. A. Filed : April 2, 2004
For : LIPID MEMBRANE STRUCTURE CONTAINING ANTI-MT-MMP
MONOCLONAL ANTIBODY

COVER LETTER

Mail Stop PCT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop PCT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an executed Declaration and English translation of the International Application set forth in the Notification mailed August 30, 2006 which sets a two-month period of response until October 30, 2006 and being extended by one month to November 30, 2006, Applicants hereby submit:

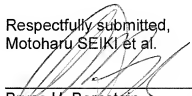
- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
- an executed Declaration and Power of Attorney;
- a verified English language translation of the International application as originally filed (1 page of verification, 57 pages of specification with abstract, and 6 sheets of drawings);
- a Request for Extension of Time;

- a Preliminary Amendment; and
- a payment in the amount of \$1,030.00 of which \$130.00 is payment of the surcharge for late filing of the Declaration, \$130.00 is payment of the Non-English specification, \$650.00 is payment of the extra claims over twenty, and \$120.00 is payment of the extension.

The U.S. Patent and Trademark Office is hereby authorized to charge any required fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below-listed number.

Respectfully submitted,
Motoharu SEIKI et al.



Bruce H. Bernstein
Reg. No. 29,027

Arnold Turk
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November 29, 2006
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